

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**RASHAD LEE, AIS #213823,  
Plaintiff,**

**vs.**

**WALTER MYERS, *et al.*,  
Defendants.**

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**CIVIL ACTION NO. 10-00661-KD-N**

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636 and dated November 29, 2011, is hereby **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that this action is **DISMISSED with prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted.

**DONE and ORDERED** this the **21<sup>st</sup>** day of **December 2011**.

/s/ Kristi K. DuBose

**KRISTI K. DuBOSE**

**UNITED STATES DISTRICT JUDGE**